

James Browning

From: Pete Dinelli <pdinelli@aol.com>
Sent: Tuesday, April 15, 2025 10:13 AM
To: pdinelli@aol.com
Subject: Link to Dinelli article "Mayor Keller And Chief Medina Scramble To Justify Having New Mexico National Guard Sent To City To Act As Public Safety Aides; Sherriff John Allen Tells Governor "NO" To Deputizing National Guard; Guards Use As Public Safety


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Mayor Keller And Chief Medina Scramble To Justify Having New Mexico National Guard Sent To City To Act As Public Safety Aides; Sherriff John Allen Tells Governor "NO" To Deputizing National Guard; Guards Use As Public Safety Aides So Very Wrong On So Many Levels; Mayor Keller And Chief Medina Have Mismanaged APD Personnel Levels; Only 250 Sworn Police Out Of 850 Patrol City Streets

<https://www.petedinelli.com/2025/04/15/mayor-keller-and-chief-medina-scramble-to-justify-having-new-mexico-national-guard-sent-to-city-to-act-as-public-safety-aides-sherriff-john-allen-tells-governor-no-to-deputizing-nat/>

Pictured here is Bernalillo County Sheriff John Allen


4/24/25

File on CM/ECF
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4/24/25



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NEWS AND COMMENTARY

Mayor Keller And Chief Medina Scramble To Justify Having New Mexico National Guard Sent To City To Act As Public Safety Aides; Sherriff John Allen Tells Governor “NO” To Deputizing National Guard; Guards Use As Public Safety Aides So Very Wrong On So Many Levels; Mayor Keller And Chief Medina Have Mismanaged APD Personnel Levels; Only 250 Sworn Police Out Of 850 Patrol City Streets

Posted on April 15, 2025

On March 31 APD Chief Harold Medina sent a letter to the Governor Michelle Lujan Grisham making an emergency request that she send the National Guard to Albuquerque to fulfill ***“non-law enforcement duties”*** such as providing security at crime scene perimeters and transporting prisoners, among others. The emergency request from Medina cited rising violent juvenile crime and the fentanyl epidemic as issues that require immediate intervention.

In his March 31 letter to Governor Lujan Grisham, Chief Medina said he wanted to keep the momentum made by APD officers to reduce crime in the city and expressed the need to have them on the streets, not driving prisoners to the Metropolitan Detention Center or providing security at city facilities and courthouses. The guardsmen could also be used for helping with document filing and organization of APD cases for prosecutors, operating drones and distributing food, water and aid to “vulnerable populations.”

The link to review the March 31 letter from Medina to the Governor is here:

Click to access 033125-ltr-from-medina-to-gmlg-re-national-guard-67f57cdb7dbc6.pdf

On April 9, Governor Michelle Lujan Grisham in direct response to Chief Medina's March 31 request issued an Executive Order declaring an emergency and sending 60 to 70 National Guard troops to aid the Albuquerque Police Department to help fight crime. The Executive Order directs up to \$750,000 to be made available for the deployment of guardsmen ***“needed to provide military support to civil authorities as needed for this emergency.”***

Lujan Grisham said this in a news release announcing the order:

"The safety of New Mexicans is my top priority. ... By deploying our National Guard to support APD with essential duties, we're ensuring that trained police officers can focus on what they do best [which is] keeping our communities safe. This partnership represents our commitment to addressing the fentanyl crisis and juvenile crime with every resource at our disposal."

MAYOR KELLER AND CHIEF MEDINA SCRAMBLE TO JUSTIFY NATIONAL GUARD COMING TO CITY

Ever since the Governor issued her Executive Order to send the National Guard to Albuquerque and to help APD to deal with crime, there has been severe public cynicism and laughter because of more than a few comments made by both Mayor Keller and Chief Medina. Keller and Medina have been scrambling to justify the request with a series of press conferences downplaying the extent of law enforcement authority the guard will have and their role in assisting APD.

During an April 8 news briefing Albuquerque Mayor Tim Keller said the guardsmen ***"will be unarmed and wear polo shirts"*** instead of uniforms and ***"will not be involved in community interaction or use military vehicles."*** Keller said this:

"What we want to do is double down on what's working ... and what's working is technology and civilians ... freeing up officers to fight crime and keep those statistics going in this powerfully good direction. ... A short-term way to help with that is by the National Guardsmen helping out. ... We're hoping [this pilot project] is going to be effective, but if it's not, we will just send people home. ... We invited these folks in to see if the program will help Albuquerque. If it is helpful, we may look at this in other areas."

https://www.abqjournal.com/news/article_d29478ca-ace6-47b2-a868-48f1e8ac190b.html#tncms-source=home-featured-7-block

On April 12, The Albuquerque Police Department provided more details on just how many NM National Guardsmen will be used and what roles they will fill to assist officers after the governor declared a crime-related emergency in the city.

Chief Medina met with the APD's leadership and the National Guard to narrow down the initial responsibility of guardsmen with assignment of guard personnel to be made in the following three areas:

- **12 guardsmen will work with the Real Time Crime Center to expand and operate APD's drone program**
- **12 guardsmen will work with the Prisoner Transport Center to help with evidence collection and other tasks that often prevent officers from returning to the field for patrol**
- **36 guardsmen will assist with scene security during critical incidents and investigations**

Chief Medina said this about the assistance the National Guard will provide:

"This assistance will have an immediate impact and allow our officers to do more proactive policing. ... We appreciate the National Guard and their willingness to help us keep Albuquerque safe. ... We always fluctuate give the resources to where they need. If we find different ways to utilize the National Guard, if we find more innovative ideas to use, we're quickly going to modify and move resources to those areas."

Chief Medina says the influx of National Guard members will allow the department to be in other places throughout the metro in need of resources. Medina said this:

"We're also going to take a limited number of our police services aides that are in the field because we have this influx of national guard members, and we're going to place them on in

our buses and our transit department. ... The citizens of Albuquerque deserve innovation, people thinking outside the box, and they deserve safety, and this is what our ultimate goal is: utilizing every single resource possible to make Albuquerque a safer place."

APD and the NMNG emphasized the guardsmen will not be armed or wearing fatigues, and they will not have law enforcement authority, including no power to arrest and no power take a person into custody.

Mayor Tim Keller for his part described the deployment of the National Guard as a ***"pilot project."*** Keller said this in a news release:

"I appreciate APD and the Guard working together to define the roles for the Guard members to free up APD officers to focus on responding to crime. This is helpful, meaningful and the right type of support for our community, APD and the Guard."

Mayor Keller and Chief Medina addressed potential use of force and according to Mayor Tim Keller and APD Chief Harold Medina, the National Guard **will not** carry weapons, **will not** drive military vehicles, and **will not** perform any law enforcement duties. **Instead, they'll act similarly to Police Service Aides (PSAs), helping with low-priority calls, report writing, and traffic control.** The tasks they will undertake is intended to free up sworn officers for more urgent matters.

In the April 12 press conference, Mayor Keller elaborated on the plan to use the National Guard as public safety aides and said this:

"What happened over the last several months is we figured out this PSA-like model might be a really good way to help APD continue the momentum that they've had. ... These folks are, not doing any law enforcement. They're not armed. ... They're not in fatigues. They're not using military vehicles. But what they are doing is supporting the police department."

Chief Medina says nothing is set in stone when it comes to deployment of the guard and he said this:

"We always fluctuate give the resources to where they need. If we find different ways to utilize the National Guard, if we find more innovative ideas to use, we're quickly going to modify and move resources to those areas."

Mayor Keller cited recent data showing reductions in several categories of crime across Albuquerque. Governor Lujan Grisham's executive order contradicts that view, stating that Albuquerque is ***"experiencing a significant increase in crime."*** According to Major Cities Chiefs data reviewed, while violent crime has dropped 10% since 2023, the violent crime rate has risen overall in the last decade, with the murder rate soaring 210% since 2014.

The city's ongoing homicide and violent crime rates continue to be at historical highs and people simply do not feel safe in their homes as the fentanyl crisis surges. Although the city recorded a 19% drop in homicides last year, the city's homicides spiked under Keller despite his policies. Following are the raw numbers of homicide from the 8 years since Keller became Mayor in 2017:

- 2017: 70 homicides
- 2018: 69 homicides
- 2019: 80 homicides
- 2020: 78 homicides
- 2021: 110 homicides
- 2022: 120 homicides
- 2023: 93 homicides
- 2024: 89 homicides

BERNALILLO COUNTY SHERIFF JOHN ALLEN QUESTIONS NEED TO SEND NATIONAL GUARD TO CITY

Bernalillo County Sheriff John Allen opposes the National Guard coming to Albuquerque to assist with public safety matters. Sheriff Allen said he does not see any benefit to the National Guard coming to the city. Sheriff Allen says he appreciates the move to do something to address crime in the city but is concerned this may be more of a liability. Allen said this:

"I don't think the National Guard is necessary. That's my opinion. ... There's a lot of questions. ... What's laid out? What are they doing specifically? ... I don't have any backgrounds [on these people]. ... I don't know who these folks are. [Are we] going to have use of force issues? [Will they be wearing] a body cam? ... I just think it sends the wrong message. [The wrong messages are] ONE law enforcement can't do its job. ... and TWO why do we have the National Guard here in Albuquerque in our streets?"

Sheriff Allen says that so far, he has no plans to use the guard's help in his department's initiatives. Sheriff Allen said this:

"We're going to stay on our lane. I mean, could it happen? Maybe. The national guard, they're in a PSA role. I didn't request a national guard, so not to be rude, I don't need them. I mean, that's something the Albuquerque Police Department asked for. We're going to continue the mission and everything that we've been doing as the Bernalillo County Sheriff's Office, and we'll continue doing so."

SHERIFF ALLEN TELLS GOVERNOR "NO" TO DEPUTIZING NATIONAL GUARD TO GIVE THEM LAW ENFORCEMENT AUTHORITY

While guardsmen currently lack law enforcement powers to arrest and detain, state law provides a legal pathway to change that. Under New Mexico law (New Mexico Statute Section 4-41-10), an elected county sheriff has the authority to appoint **"special deputies,"** granting law enforcement powers to individuals deemed **"respectable and orderly."** This statute dates back to New Mexico's territorial days and has been used to cross-deputize tribal officers. The same could technically apply to National Guard members but doing so could create liability concerns.

The problem is that with the appointment of **"special deputies"** by any sheriff comes major issues regarding liability, training, management and control. Those issues opens the doors to lawsuits, especially for negligent hiring and training and supervision.

Bernalillo County Sheriff John Allen says he supports the governor, but he also believes sending the National Guard to the city sends the wrong message that law enforcement can't do their jobs.

Sheriff Allen has made it crystal clear he will not deputize the National Guard coming to Albuquerque. Allen says he had talks with Governor Lujan Grisham about deputizing National Guard members, which would essentially give them law enforcement capabilities, but Sheriff Allen flatly said **"NO"**. Sheriff Allen said this:

"It has been asked if I would [deputize], and that would I be responsible for that. My answer is, 'No.' I'll just stop it right there. I don't think it sends the right message. It is a lot of liability and a lot of other things people have not questioned."

When it comes to liability, Sheriff Allen brought up body cameras as an example. APD's Public Service Aides (PSA's) wear them, and the guardsmen roles will be similar. The city and the National Guard have not announce if the National Guard will be wearing body cameras.

<https://www.kob.com/new-mexico/albuquerque-police-chief-outlines-roles-of-national-guard/>

CRITICS POUNCE ON IMPACT OF PUBLIC SERVICE AIDE STYLE DEPLOYMENT

Bernalillo County Sheriff John Allen is not the only public safety expert who is skeptical of deploying the National Guard to the city. Paul Szych, a former police commander, said the National Guard's limited duties are already primarily handled by the city's existing Telephone Reporting Unit, which already takes care of non-emergency calls. Szych said this:

"If we're putting more [personnel] out there for what we already kind of have control of ... I don't really see how that's going to affect the real dangerous stuff."

The National Guard deployment has drawn criticism from political and civil rights organizations. The ACLU of New Mexico has warned of the potential for ***"militarization of civilian law enforcement,"*** while the Republican Party of New Mexico labeled the move a ***"cover for a Democrat-run city entrenched in crime."***

The **ACLU of New Mexico** was quick to criticize the governor's authorization to deploy National Guard personnel to Albuquerque calling it ***"a show of force, not a show of solutions."*** Daniel Williams, policy advocate at the ACLU of New Mexico, issued the following statement:

"All of us deserve to be safe at home, at work, and in our community. We, like so many in Albuquerque, know that that's not always the case in our city. However, Governor Lujan Grisham's deployment of the National Guard to support Albuquerque police is a show of force, not a show of solutions. New Mexico already has one of the highest per capita rates of people killed by police in the nation. History has shown that military collaboration with local law enforcement often leads to increased civil rights violations, racial profiling, and criminalization of vulnerable populations, particularly those experiencing homelessness and poverty."

"The governor's past policy proposals too often have centered on efforts to criminalize and institutionalize unhoused New Mexicans, without a commensurate emphasis on solving the root causes of crime. New Mexicans should be confident that their governor is truly working to keep them safe, not doubling down on failed strategies that will fuel mass incarceration and multiply the harms our communities already endure. In a state so heavily impacted by police violence, the answer to safety cannot and will not be found in increased police presence, especially not through collaboration with the military."

"Our neighbors deserve an urgent outpouring of services and support by those trained and equipped to properly provide it. All of us will be safer when all of us are housed. All of us will be safer when all of us have access to good healthcare. All of us will be safer when all of us are economically secure. We join our partners and New Mexicans across the state in asking the governor and all of our leaders to double down on putting resources toward these meaningful solutions, rather than continuing to criminalize the most vulnerable among us."

Republican State Senator Nicole Tobiassen, R-Albuquerque sharply criticized the deployment of the National Guard by the Governor and issued the following statement:

"Albuquerque's crime crisis is a testament to the absolute failure of Mayor Keller and his progressive policies. It's sad that his own police chief had to go over his head and seek state resources in order to try and keep up with the rampant violent crime, drug trafficking, juvenile crime, and gang activity that plagues our city. Mayor Keller and the progressive Democrats' failed leadership have made our community into a literal war zone and we must change course before not even state resources can combat the chaos allowed in Albuquerque. This plea for help comes on the heels of a legislative session where Democrat lawmakers denied or killed every single substantive public safety proposal. Elections have consequences and city residents have seen enough."

APD'S 2024 – 2025 APPROVED BUDGET

The City's approved operating budget for fiscal 2024 to 2025 which began July 1, 2024 and ends June 30, 2025 is a whopping \$1.4 billion budget. The General Fund Budget, which is funding for

the individual city departments, is \$845.9 million.

The Albuquerque Police Department (APD) is the single largest funded department budget and it is about a fifth of the total General Fund Operating Budget. The approved Fiscal Year 2024- 2025 General Fund budget for the Albuquerque Police Department is \$271.5 million, which represented an increase of 5.2% or \$13.4 million above the Fiscal Year 2024 budget. 1,840 full time positions were fully funded which included funding for 1,010 sworn police positions.

The 2024-2025 budget included full funding for 1,010 sworn police officers which was identical to the year before. However, APD never hit its goal of 1,000 sworn police. APD had **856 sworn officers** last year and this year the highest number achieved is the current **850 sworn police** officers in the department with 50 cadets currently going through the police academy.

FUNCTION AND PURPOSE OF NEW MEXICO NATIONAL GUARD

The New Mexico Army National Guard is a part-time state-based **military component** that serves a dual mission. Each Guard unit serves under the command of the governor to respond to natural disasters or other state emergencies. In addition, Guard units can be activated to defend the nation when needed.

The National Guard's main mission is to respond to domestic emergencies, including natural disasters and combat missions. National Guard personnel are state officers exercising state authority. The national guard does not have authority to make any law enforcement arrests and essentially engages in military or marshal law functions when necessary to restore law and order.

The **New Mexico National Guard** is the militia of the U.S. state of New Mexico. Comprising the New Mexico Army National Guard and the New Mexico Air National Guard, it is part of the National Guard of the United States, a reserve force under both state and federal jurisdiction.

<https://nationalguard.com/new-mexico>

https://en.wikipedia.org/wiki/New_Mexico_National_Guard

COMMENTARY AND ANALYSIS

Governor Lujan Grisham declaring an emergency and sending 60 to 70 National Guard troops to aid the Albuquerque Police Department to help fight crime is so very wrong and on so many levels. ***Simply put, it is not the function of the New Mexico National Guard to become "police service aides" patrolling the streets of Albuquerque in polo shirts and out of uniform at the Governor's whim and at Chief Harold Medina's and Mayor Tim Keller's request.***

The Governor is deploying 70 National Guard to free up 20 to 30 APD Officers. The Governor's Executive Order sets a dangerous precedent and it is an abuse of National Guard Resources and some would say an abuse of power. The Governor should immediately withdraw her Executive Order and instead of dispatching the National Guard, she should deploy New Mexico State Police to the city as she has done in the past. The city needs law enforcement who can enforce the law and make arrests, not public safety aides to support APD.

Chief Medina has made assurances that the National Guardsmen ***"[will] not have law enforcement authority"*** and ***"cannot take law enforcement action."*** Chief Medina has no authority to dictate to the National Guard and its an affront to the purpose of the National Guard. Having the National Guard deployed as public safety aides is an insult to the guard and its mission.

Bernalillo County Sherriff John Allen is absolutely correct when he says:

"I don't think the National Guard is necessary. That's my opinion. ... [Are we] going to have use of force issues? [Will they be wearing] a body cam? ... I just think it sends the wrong message. [The wrong messages are] that ONE law enforcement can't do its job. ... and TWO why do we have the National Guard here in Albuquerque in our streets?"

GUARD WILL BE EXPOSED TO POTENTIAL INJURY

The guard personnel will be to be initially assigned to the following three areas:

- **12 guardsmen will work with the Real Time Crime Center to expand and operate APD's drone program.**
- **12 guardsmen will work with the Prisoner Transport Center to help with evidence collection and other tasks that often prevent officers from returning to the field for patrol.**
- **36 guardsmen will assist with scene security during critical incidents and investigations.**

The Real Time Crime Center is not a problem. However, there is little doubt that there is a need for the National Guard to be armed and perhaps be exposed to personal injury when working at the Prisoner Transport Center or securing scenes during critical incidents and investigations with the potential contact with criminals. Will the guard be required to transport prisoners unarmed? Then there is the question who will be in charge of supervising and giving orders to the National Guard, APD management or National Guard officers?

MAYOR KELLER'S AND CHIEF MEDINA'S APD TRAIN WRECK

The National Guard assisting the Albuquerque Police Department is in response to ongoing public safety challenges in the city, particularly along the Central Avenue corridor. ***What APD needs is an increase in law enforcement personnel to carry out its mandated mission. Mayor Keller and Chief Medina have been failures in seeing to it that APD is fully staffed***

During the April 8 news conference on the Governor deploying the National Guard, both Mayor Keller and Chief Medina tried to emphasize that the deployment of the National Guard was ***temporary*** and an effort to assist APD to combat crime. Chief Medina said the hope is to have 1,000 APD officers, which currently has around 850 by the time the NMNG leaves. No one should bet on the deployment of the National Guard to help APD as being successful nor on APD having 1,000 police officers any time soon let alone when the National Guard leaves.

Seven years ago when Keller first ran for Mayor, then New Mexico State Auditor Tim Keller, candidate for Albuquerque Mayor, had this to say about the city's high crime rates and APD numbers:

"It's unfortunate, but crime is absolutely out of control. It's the mayor's job to actually address crime in Albuquerque, and that's what I want to do as the next mayor."

Proclaiming violent crime was out of control, Keller said that he could get crime down and that he would increase APD sworn from the then 850 to 1,200. Violent crime continues to spike and is out of control seven years later with APD currently at about 800 sworn officers.

APD has fallen off the cliff under Keller's leadership over the last 7 years. Mayor Keller and Chief Harold Medina have seriously mismanaged the ongoing train wreck known as APD with the department still dangerously understaffed at about 850 cops despite seven years of increased budgets, salary increases, and lucrative bonus pay. Keller has literally thrown money at the problem, yet the department continues to languish. This coming from the Mayor who promised 1,200 cops during his first term. During a recent APD Academy graduation, Keller promised 1,000 cops by the end of the year which is not at all likely given expected retirements.

The truth is APD is very top heavy with mid to upper management. According to sources within APD, including one area commander, the city has only about 250 sworn police officers out of the current 850 sworn who actually are patrolling the streets in three shifts 24 hours a day. Confidential source within APD have confirmed that many area commands often have as few as 3 sworn police patrolling entire area commands in 8 hours shifts, especially in high call volume area commands.

APD's budget is the largest city department budget with funding of \$271.5 million dollars. APD Chief Medinas March 31 letter to Governor Lujan Grisham was his admission that he can not manage APD in an competent and effective manner. Its an admission the department cannot do its job with the resources it has been given.

Rather than asking the Governor to send the National Guard to the City to patrol the streets of Albuquerque, Mayor Keller and Chief Medina should order all APD mid-management, including Lieutenants, Deputy Commanders, Commanders and Deputy Chiefs and order all detectives into uniform, and order them to get the hell out from behind their desks and mandate that they patrol streets of Albuquerque and make arrests at least 4 hours a day and assist with the very duties that they want the National Guard to perform. It's called management of your limited personnel resources to deal with a crisis as opposed to Keller and Medina's mismanagement.

POSTSCRIPT

Links to quoted or relied upon news sources are here:

<https://www.governor.state.nm.us/2025/04/08/governor-authorizes-national-guard-to-support-albuquerque-police-department/>

https://www.abqjournal.com/news/article_d29478ca-ace6-47b2-a868-48f1e8ac190b.html#tncms-source=home-featured-7-block

<https://www.kob.com/news/top-news/governor-authorizes-deployment-of-national-guard-to-support-apd/>

<https://www.krqe.com/news/albuquerque-metro/new-mexico-governor-authorizes-national-guard-deployment-to-albuquerque/>

<https://www.koat.com/article/albuquerque-crime-national-guard-police/64423121>

<https://nmpoliticalreport.com/2025/04/08/governor-orders-national-guard-to-albuquerque-to-help-police/>

https://www.abqjournal.com/news/article_762917cd-6b29-4963-b5b9-6f587fd9ac75.html#tncms-source=home-featured-7-block

https://www.abqjournal.com/news/article_2c3fb162-25e3-4102-ae2c-0d96416c6c6d.html#tncms-source=home-featured-7-block

<https://www.koat.com/article/deployment-of-national-guard-to-albuquerque-raises-questions-about-authority-and-effectiveness/64436701>

<https://www.krqe.com/news/albuquerque-metro/albuquerque-police-department-outlines-specific-roles-of-national-guardsmen/>

<https://www.koat.com/article/what-national-guard-plans-to-do-in-albuquerque-koat-crime/64462035#:~:text=ALBUQUERQUE%2C%20N.M.%20%E2%80%94,the%20benefit%20in%20the%20acti>

<https://nmpoliticalreport.com/2025/04/08/governor-orders-national-guard-to-albuquerque-to-help-police/>

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About

Pete Dinelli was born and raised in Albuquerque, New Mexico. He is of Italian and Hispanic descent. He is a 1970 graduate of Del Norte High School, a 1974 graduate of Eastern New Mexico University with a Bachelor's Degree in Business Administration and a 1977 graduate of St. Mary's School of Law, San Antonio, Texas. Pete has a 40 year history of community involvement and service as an elected and appointed official and as a practicing attorney in Albuquerque. Pete and his wife Betty Case Dinelli have been married since 1984 and they have two adult sons, Mark, who is an attorney and George, who is an Emergency Medical Technician (EMT). Pete has been a licensed New Mexico attorney since 1978. Pete has over 27 years of municipal and state government service. Pete's service to Albuquerque has been extensive. He has been an elected Albuquerque City Councilor, serving as Vice President. He has served as a Worker's Compensation Judge with Statewide jurisdiction. Pete has been a prosecutor for 15 years and has served as a Bernalillo County Chief Deputy District Attorney, as an Assistant Attorney General and Assistant District Attorney and as a Deputy City Attorney. For eight years, Pete was employed with the City of Albuquerque both as a Deputy City Attorney and Chief Public Safety Officer overseeing the city departments of police, fire, 911 emergency call center and the emergency operations center. While with the City of Albuquerque Legal Department, Pete served as Director of the Safe City Strike Force and Interim Director of the 911 Emergency Operations Center. Pete's community involvement includes being a past President of the Albuquerque Kiwanis Club, past President of the Our Lady of Fatima School Board, and Board of Directors of the Albuquerque Museum Foundation.

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